IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

WP(C).No. 20283 of 2007(M)

PETITIONER:

SAJ FLIGHT SERVICES (P) LTD.,
TC.35/803(2), VALLAKADAVU P.O.,TRIVANDRUM-695 008,
REPRESENTED BY ITS DIRECTOR, SMT.MINI SAJAN.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENTS:

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1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY, VYDHYUTHI BHAVAN,
PATTOM PALACE P.O., TRIVANDRUM-695 004.

2. THE EXECUTIVE ENGINEER,
KSEB, ELECTRICAL DIVISION, KAZHAKKUTTAM,TRIVANDRUM

3. THE EXECUTIVE ENGINEER,
ELECTRICAL DIVISION WEST, KSEB, CHACKAI,TRIVANDRUM

4. THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, KSEB, SREEVARAHAM, TRIVANDRUM.

5. THE DEPUTY CHIEF ENGINEER,
ELECTRICAL CIRCLE (URBAN), KSEB, POWER HOUSE
BUILDING, TRIVANDRUM-695 036.

6. DEPUTY CHIEF ENGINEER,
APTS-(SQ), VIGILANCE WING, VYDHYUTHI BHAVAN,
TRIVANDRUM.

BY SC THAJUDEEN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J

W.P.(C) NO.20283 of 2007

Dated this the 3rd day of July, 2007

JUDGMENT

The petitioner's grievance is that the Deputy Chief Engineer disposed of their appeal against the penal interest through a single line order. Unless the order is supported by reasons, the petitioner will not be able to challenge the same. I find force in this contention because an appellate authority is bound to consider the grounds raised against the disputed bill and the reasons for rejecting the appeal. In fact even the findings in the mahazar are not referred to by the Deputy Chief Engineer. In the circumstances, Ext.P10 is vacated with a direction to the 5th respondent to restore the appeal on file and go through the mahazar and other observations recorded by them and to consider the penal bill with reference to rules and regulations and the grounds raised by the petitioner. The petitioner will be given an opportunity of being heard before final orders are issued. 5th

respondent is directed to dispose of appeal through a detailed speaking order within a period of one month from the date of production of a copy of this order.

The writ petition is disposed of.

C.N.RAMACHANDRAN NAIR,
JUDGE

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